

Page 1 of 23  
Permit No. WA-002990-4  
Issuance Date: May 31, 2005  
Effective Date: June 1, 2005  
Expiration Date: May 31, 2010

**NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM  
WASTE DISCHARGE PERMIT NO. WA-002990-4**

State of Washington  
DEPARTMENT OF ECOLOGY  
Northwest Regional Office  
3190 – 160<sup>th</sup> Avenue SE  
Bellevue, WA 98008-5452

In compliance with the provisions of  
The State of Washington Water Pollution Control Law  
Chapter 90.48 Revised Code of Washington  
and  
The Federal Water Pollution Control Act  
(The Clean Water Act)  
Title 33 United States Code, Section 1251 et seq.

**WARM BEACH CHRISTIAN CAMPS AND CONFERENCE CENTER**

20800 Marine Drive  
Stanwood, Washington 98292

<u>Plant Location:</u> 20800 Marine Drive Stanwood, WA 98292	<u>Receiving Water:</u> Unnamed Stream Tributary to Port Susan
<u>Water Body I.D. No.:</u> WA-PS-0020	<u>Discharge Location:</u> Latitude: 48° 11' 19" N Longitude: 122° 21' 00" W
<u>Plant Type:</u> Aerated Stabilization Ponds and Wetlands	

is authorized to discharge in accordance with the Special and General Conditions that follow.

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Kevin C. Fitzpatrick  
Water Quality Section Manager  
Northwest Regional Office  
Washington State Department of Ecology

**TABLE OF CONTENTS**

SUMMARY OF PERMIT REPORT SUBMITTALS.....4

**SPECIAL CONDITIONS**

S1. DISCHARGE LIMITATIONS .....5

    A. Effluent Limitations

S2. MONITORING REQUIREMENTS .....6

    A. Monitoring Schedule

    B. Sampling and Analytical Procedures

    C. Flow Measurement

    D. Laboratory Accreditation

S3. REPORTING AND RECORDKEEPING REQUIREMENTS .....7

    A. Reporting

    B. Records Retention

    C. Recording of Results

    D. Additional Monitoring by the Permittee

    E. Noncompliance Notification

    F. Maintaining a Copy of This Permit

    G. Reporting - Shellfish Protection

S4. FACILITY LOADING .....9

    A. Design Criteria

    B. Plans for Maintaining Adequate Capacity

    C. Duty to Mitigate

    D. Notification of New or Altered Sources

S5. OPERATION AND MAINTENANCE.....10

    A. Certified Operator

    B. O & M Program

    C. Short-term Reduction

    D. Electrical Power Failure

    E. Prevent Connection of Inflow

    F. Bypass Procedures

    G. Operations and Maintenance Manual

S6. PRETREATMENT .....14

    A. General Prohibitions

    B. Specific Prohibitions

S7. RESIDUAL SOLIDS.....15

S8. ENGINEERING REPORT AND PLANS AND SPECIFICATIONS .....15

    A. Engineering Report

    B. Plans and Specifications

S9. COMPLIANCE SCHEDULE.....15

S10. ADDITIONAL CHEMICAL ANALYSIS OF INFLUENT AND EFFLUENT.....16

## GENERAL CONDITIONS

G1.	SIGNATORY REQUIREMENTS.....	17
G2.	RIGHT OF INSPECTION AND ENTRY .....	18
G3.	PERMIT ACTIONS.....	18
G4.	REPORTING PLANNED CHANGES.....	19
G5.	PLAN REVIEW REQUIRED .....	20
G6.	COMPLIANCE WITH OTHER LAWS AND STATUTES.....	20
G7.	DUTY TO REAPPLY .....	20
G8.	TRANSFER OF THIS PERMIT .....	20
G9.	REDUCED PRODUCTION FOR COMPLIANCE .....	21
G10.	REMOVED SUBSTANCES .....	21
G11.	DUTY TO PROVIDE INFORMATION.....	21
G12.	OTHER REQUIREMENTS OF 40 CFR.....	21
G13.	ADDITIONAL MONITORING .....	21
G14.	PAYMENT OF FEES.....	21
G15.	PENALTIES FOR VIOLATING PERMIT CONDITIONS .....	21
G16.	UPSET .....	22
G17.	PROPERTY RIGHTS.....	22
G18.	DUTY TO COMPLY .....	22
G19.	TOXIC POLLUTANTS.....	22
G20.	PENALTIES FOR TAMPERING .....	23
G21.	REPORTING ANTICIPATED NONCOMPLIANCE .....	23
G22.	REPORTING OTHER INFORMATION.....	23
G23.	COMPLIANCE SCHEDULES .....	23

### SUMMARY OF PERMIT REPORT SUBMITTALS

Refer to the Special and General Conditions of this permit for additional submittal requirements.

Permit Section	Submittal	Frequency	First Submittal Date
S3.	Discharge Monitoring Report	Monthly	
S3.E.	Noncompliance Notification	As necessary	
S3.G.	Shellfish Protection	As necessary	
S4.B.	Plans for Maintaining Adequate Capacity	As necessary	
S4.C.	Notification of New or Altered Sources	As necessary	
S5.G.	Operations and Maintenance Manual	1/permit cycle	September 30, 2005
S8.A.	Engineering Report for Outfall Relocation	1/permit cycle	July 31, 2005
S8.B.	Plans and Specifications for Outfall Relocation	1/permit cycle	March 31, 2006
G1.	Notice of Change in Authorization	As necessary	
G4.	Reporting Planned Changes	As necessary	
G5.	Engineering Report for Construction or Modification Activities	As necessary	
G7.	Application for Permit Renewal	1/permit cycle	November 30, 2009
G21.	Reporting Anticipated Noncompliance	As necessary	
G22.	Reporting Other Information	As necessary	

## SPECIAL CONDITIONS

### S1. DISCHARGE LIMITATIONS

#### A. Effluent Limitations

All discharges and activities authorized by this permit shall be consistent with the terms and conditions of this permit. The discharge of any of the following pollutants more frequently than, or at a level in excess of, that identified and authorized by this permit shall constitute a violation of the terms and conditions of this permit.

Beginning on the effective date of this permit and lasting through the expiration date, the Permittee is authorized to discharge municipal wastewater at the permitted location subject to complying with the following limitations:

<b>FINAL EFFLUENT LIMITATIONS<sup>a</sup>: OUTFALL NUMBER 1</b>		
<b>Parameter</b>	<b>Average Monthly</b>	<b>Average Weekly</b>
Biochemical Oxygen Demand (5-day) (BOD <sub>5</sub> )	30 mg/L, 19 lbs/day 85% removal of influent BOD <sub>5</sub>	45 mg/L, 29 lbs/day
Total Suspended Solids (TSS)	75 mg/L, 47 lbs/day	112 mg/L, 70 lbs/day
pH <sup>b</sup>	Daily minimum is equal to or greater than 6 and the daily maximum is less than or equal to 9.	
<b>Parameter</b>	<b>Average Monthly</b>	<b>Maximum Daily<sup>c</sup></b>
Fecal Coliform Bacteria	100/100 mL	See footnote <sup>d</sup> below
Total Residual Chlorine	8 µg/L	19 µg/L
<b>Parameter</b>	<b>Average Monthly</b>	<b>Minimum Daily</b>
Dissolved Oxygen	-----	8.0 mg/L
<b>INTERIM EFFLUENT LIMITATIONS<sup>e</sup>: OUTFALL NUMBER 1</b>		
<b>Parameter</b>	<b>Average Monthly</b>	<b>Maximum Daily<sup>c</sup></b>
Total Ammonia (NH <sub>3</sub> -N)	-----	15 mg/L
<sup>a</sup> The average monthly and weekly effluent limitations are based on the arithmetic mean of the samples taken with the exception of fecal coliform, which is based on the geometric mean.		
<sup>b</sup> Indicates the range of permitted values. When pH is continuously monitored, excursions between 5.0 and 6.0, or 9.0 and 10.0 shall not be considered violations provided no single excursion exceeds 60 minutes in length and total excursions do not exceed 7 hours and 30 minutes per month. Any excursions below 5.0 and above 10.0 are violations if such values are attributable to inorganic chemical addition to the treatment process or to industrial contribution(s). The instantaneous maximum and minimum pH shall be reported monthly.		
<sup>c</sup> The maximum daily value is the maximum of the daily values during a calendar month. The daily value is defined as the arithmetic mean of the sample measurements taken during a calendar day, with the exception of fecal coliform, which is based on the geometric mean.		
<sup>d</sup> No more than 10 percent of all samples obtained for calculating the monthly geometric mean value shall exceed 200 colonies/100 mL.		
<sup>e</sup> Final effluent limitation for ammonia is 0 mg/L. After the outfall relocation, the effluent will no longer be discharging to the receiving waterbody identified on the cover page of this permit.		

## S2. MONITORING REQUIREMENTS

### A. Monitoring Schedule

The Permittee shall monitor in accordance with the following schedule:

Parameter	Sample Point	Minimum Sampling Frequency	Sample Type
<b>(1) Compliance</b>			
Flow	Final Effluent	Continuous	Measurement
pH	Final Effluent	5/week	Grab
BOD <sub>5</sub>	Plant Influent Final Effluent	1/week 1/week	24-hr composite 24-hr composite
Total Suspended Solids (TSS)	Final Effluent	1/week	24-hr composite
Total Residual Chlorine	Final Effluent (after dechlorination)	5/week	Grab
Fecal Coliform Bacteria	Final Effluent (to be sampled concurrently with total residual chlorine)	1/week	Grab
Total Ammonia (as NH <sub>3</sub> -N)	Final Effluent	1/week	24-hr composite
Dissolved Oxygen (DO)	Final Effluent	5/week	Grab
<b>(2) Pollutants listed in Part B6 of the NPDES Permit Application – Form 3510-2A</b>			
(a) Total Kjeldahl Nitrogen(TKN) (b) NO <sub>3</sub> -N + NO <sub>2</sub> -N (c) Oil and Grease (d) Total Phosphorus (e) Total Dissolved Solids (TDS)	Final Effluent	3/permit term (see Condition S10)	Grab

### B. Sampling and Analytical Procedures

Samples and measurements taken to meet the requirements of this permit shall be representative of the volume and nature of the monitored parameters, including representative sampling of any unusual discharge or discharge condition, including bypasses, upsets, and maintenance-related conditions affecting effluent quality.

Sampling and analytical methods used to meet the monitoring requirements specified in this permit shall conform to the latest revision of the *Guidelines Establishing Test Procedures for the Analysis of Pollutants* contained in 40 CFR Part 136 or to the latest revision of *Standard Methods for the Examination of Water and Wastewater* (APHA), unless otherwise specified in this permit or approved in writing by the Department of Ecology (Department).

C. Flow Measurement

Appropriate flow measurement devices and methods consistent with accepted scientific practices shall be selected and used to ensure the accuracy and reliability of measurements of the quantity of monitored flows. The devices shall be installed, calibrated, and maintained to ensure that the accuracy of the measurements is consistent with the accepted industry standard for that type of device. Frequency of calibration shall be in conformance with manufacturer's recommendations and at a minimum frequency of at least one calibration per year. Calibration records shall be maintained for at least three years.

D. Laboratory Accreditation

All monitoring data required by the Department shall be prepared by a laboratory registered or accredited under the provisions of, *Accreditation of Environmental Laboratories*, Chapter 173-50 WAC. Flow and pH are exempt from this requirement. Testing for pH shall be accredited if the laboratory must otherwise be registered or accredited. The Department exempts crops, soils, and hazardous waste data from this requirement pending accreditation of laboratories for analysis of these media.

**S3. REPORTING AND RECORDKEEPING REQUIREMENTS**

The Permittee shall monitor and report in accordance with the following conditions. The falsification of information submitted to the Department shall constitute a violation of the terms and conditions of this permit.

A. Reporting

The first monitoring period begins on the effective date of the permit. Monitoring results shall be submitted monthly. Monitoring data obtained during each monitoring period shall be summarized, reported, and submitted on a Discharge Monitoring Report (DMR) form provided, or otherwise approved, by the Department. DMR forms shall be received by the Department no later than the 15<sup>th</sup> day of the month following the completed monitoring period, unless otherwise specified in this permit. The report(s) shall be sent to the Department of Ecology, Northwest Regional Office, 3190 – 160<sup>th</sup> Avenue SE, Bellevue, Washington 98008-5452.

Discharge Monitoring Report forms must be submitted monthly whether or not the facility was discharging. If there was no discharge during a given monitoring period, submit the form as required with the words "no discharge" entered in place of the monitoring results.

B. Records Retention

The Permittee shall retain records of all monitoring information for a minimum of three (3) years. Such information shall include all calibration and maintenance records and all original recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit. This period of retention shall be extended during the course of any unresolved litigation regarding the discharge of pollutants by the Permittee or when requested by the Department.

C. Recording of Results

For each measurement or sample taken, the Permittee shall record the following information: (1) the date, exact place, method, and time of sampling or measurement; (2) the individual who performed the sampling or measurement; (3) the dates the analyses were performed; (4) the individual who performed the analyses; (5) the analytical techniques or methods used; and (6) the results of all analyses.

D. Additional Monitoring by the Permittee

If the Permittee monitors any pollutant more frequently than required by this permit using test procedures specified by Condition S2 of this permit, then the results of such monitoring shall be included in the calculation and reporting of the data submitted in the Permittee's DMR.

E. Noncompliance Notification

In the event the Permittee is unable to comply with any of the terms and conditions of this permit due to any cause, the Permittee shall:

1. Immediately take action to stop, contain, and cleanup unauthorized discharges or otherwise stop the noncompliance, correct the problem and, if applicable, repeat sampling and analysis of any noncompliance immediately and submit the results to the Department within thirty (30) days after becoming aware of the violation.
2. Immediately notify the Department of the failure to comply.
3. Submit a detailed, written report to the Department within thirty (30) days (five [5] days for upsets and bypasses), unless requested earlier by the Department. The report shall contain a description of the noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.

Compliance with these requirements does not relieve the Permittee from responsibility to maintain continuous compliance with the terms and conditions of this permit or the resulting liability for failure to comply.



F. Maintaining a Copy of This Permit

A copy of this permit must be kept at the treatment plant and be made available upon request to the public or Ecology inspectors.

G. Reporting - Shellfish Protection

Unauthorized discharges, such as collection system overflows, plant bypasses, or failure of the disinfection system, shall be reported immediately to the Department of Ecology and the Department of Health, Shellfish Program. The Department of Ecology's Northwest Regional Office 24-hr. number is 425-649-7000, and the Department of Health's Shellfish 24-hr. number is 360-236-3330.

**S4. FACILITY LOADING**

A. Design Criteria

1. Flows or waste loadings of the following design criteria for the permitted treatment facility shall not be exceeded prior to outfall relocation:

Average flow for the maximum month: 75,000 gallons/day

2. After the outfall relocation, flows or waste loadings of the following design criteria for the permitted treatment facility shall not be exceeded:

Average flow for the maximum month: 150,000 gallons/day

BOD<sub>5</sub> loading for the maximum month: 380 lbs/day

B. Plans for Maintaining Adequate Capacity

The Permittee shall submit to the Department, a plan and a schedule for continuing to maintain capacity when:

1. The actual flow or waste load reaches 85 percent of any one of the design criteria in S4.A(b) for three consecutive months; or
2. When the projected increase would reach design capacity within five years,

whichever occurs first. If such a plan is required, it shall contain a plan and schedule for continuing to maintain capacity. The capacity as outlined in this plan must be sufficient to achieve the effluent limitations and other conditions of this permit. This plan shall address any of the following actions or any others necessary to meet the objective of maintaining capacity.

1. Analysis of the present design including the introduction of any process modifications that would establish the ability of the existing facility to achieve the effluent limits and other requirements of this permit at specific levels in excess of the existing design criteria specified in paragraph S4.A(b) above.

2. Reduction or elimination of excessive infiltration and inflow of uncontaminated ground and surface water into the sewer system.
3. Limitation on future sewer extensions or connections or additional waste loads.
4. Modification or expansion of facilities necessary to accommodate increased flow or waste load.

Engineering documents associated with the plan must meet the requirements of WAC 173-240-060, "Engineering Report," and be approved by the Department prior to any construction. The plan shall specify any contracts, ordinances, methods for financing, or other arrangements necessary to achieve this objective.

C. Duty to Mitigate

The Permittee is required to take all reasonable steps to minimize or prevent any discharge or sludge use or disposal in violation of this permit that has a reasonable likelihood of adversely affecting human health or the environment.

D. Notification of New or Altered Sources

The Permittee shall submit written notice to the Department whenever any new discharge or a substantial change in volume or character of an existing discharge into the treatment facility is proposed which: (1) would interfere with the operation of, or exceed the design capacity of, any portion of the treatment facility; (2) is not part of an approved general sewer plan or approved plans and specifications; or (3) would be subject to pretreatment standards under 40 CFR Part 403 and Section 307(b) of the Clean Water Act. This notice shall include an evaluation of the ability of the sewer system and treatment facility to adequately transport and treat the added flow and/or waste load, the quality and volume of effluent to be discharged to the treatment facility, and the anticipated impact on the Permittee's effluent [40 CFR 122.42(b)].

## **S5. OPERATION AND MAINTENANCE**

The Permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed to achieve compliance with the terms and conditions of this permit. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems, which are installed by a Permittee only when the operation is necessary to achieve compliance with the conditions of this permit.

A. Certified Operator

An operator certified for at least a Class I plant by the state of Washington shall be in responsible charge of the day-to-day operation of the wastewater treatment plant. An operator certified for at least a Class I plant shall be in charge during all regularly scheduled shifts.

B. O & M Program

The Permittee shall institute an adequate operation and maintenance program for the entire sewage system. Maintenance records shall be maintained on all major electrical and mechanical components of the treatment plant, as well as the sewage system and pumping stations. Such records shall clearly specify the frequency and type of maintenance recommended by the manufacturer and shall show the frequency and type of maintenance performed. These maintenance records shall be available for inspection at all times.

C. Short-term Reduction

If the Permittee contemplates a reduction in the level of treatment that would cause a violation of permit discharge limitations on a short-term basis for any reason, and such reduction cannot be avoided, the Permittee shall give written notification to the Department, if possible, thirty (30) days prior to such activities, detailing the reasons for, length of time of, and the potential effects of the reduced level of treatment. This notification does not relieve the Permittee of its obligations under this permit.

D. Electrical Power Failure

The Permittee is responsible for maintaining adequate safeguards to prevent the discharge of untreated wastes or wastes not treated in accordance with the requirements of this permit during electrical power failure at the treatment plant and/or sewage lift stations either by means of alternate power sources, standby generator, or retention of inadequately treated wastes.

The Permittee shall cease the effluent discharge into the receiving water during electrical power failure at the treatment facility. Immediately after and throughout the period of electrical power failure, the Permittee shall stop the discharge of wetlands treatment system effluent into the chlorine contact chamber. The remaining effluent in the chlorine contact chamber may be discharged into the receiving water during this period, provided the effluent is chlorinated and dechlorinated to comply with the effluent limitations specified in Condition S1.A. of this permit.

E. Prevent Connection of Inflow

The Permittee shall not allow the connection of inflow (roof drains, foundation drains, etc.) to the sanitary sewer system.

F. Bypass Procedures

Bypass, which is the intentional diversion of waste streams from any portion of a treatment facility, is prohibited, and the Department may take enforcement action against a Permittee for bypass unless one of the following circumstances (1, 2, or 3) is applicable.

1. Bypass for essential maintenance without the potential to cause violation of permit limits or conditions.

Bypass is authorized if it is for essential maintenance and does not have the potential to cause violations of limitations or other conditions of this permit, or adversely impact public health as determined by the Department prior to the bypass. The Permittee shall submit prior notice, if possible, at least ten (10) days before the date of the bypass.

2. Bypass which is unavoidable, unanticipated, and results in noncompliance of this permit.

This bypass is permitted only if:

- a. Bypass is unavoidable to prevent loss of life, personal injury, or severe property damage. "Severe property damage" means substantial physical damage to property, damage to the treatment facilities which would cause them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass.
  - b. There are no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, stopping production, maintenance during normal periods of equipment downtime (but not if adequate backup equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventative maintenance), or transport of untreated wastes to another treatment facility.
  - c. The Department is properly notified of the bypass as required in Condition S3.E. of this permit.
3. Bypass which is anticipated and has the potential to result in noncompliance of this permit

The Permittee shall notify the Department at least thirty (30) days before the planned date of bypass. The notice shall contain: (1) a description of the bypass and its cause; (2) an analysis of all known alternatives which would eliminate, reduce, or mitigate the need for bypassing; (3) a cost-effectiveness analysis of alternatives including comparative resource damage assessment; (4) the minimum and maximum duration of bypass under each alternative; (5) a recommendation as to the preferred alternative for conducting the bypass; (6) the projected date of

bypass initiation; (7) a statement of compliance with SEPA; (8) a request for modification of water quality standards as provided for in WAC 173-201A-110, if an exceedance of any water quality standard is anticipated; and (9) steps taken or planned to reduce, eliminate, and prevent reoccurrence of the bypass.

For probable construction bypasses, the need to bypass is to be identified as early in the planning process as possible. The analysis required above shall be considered during preparation of the engineering report or facilities plan and plans and specifications and shall be included to the extent practical. In cases where the probable need to bypass is determined early, continued analysis is necessary up to and including the construction period in an effort to minimize or eliminate the bypass.

The Department will consider the following prior to issuing an administrative order for this type bypass:

- a. If the bypass is necessary to perform construction or maintenance-related activities essential to meet the requirements of this permit.
- b. If there are feasible alternatives to bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, stopping production, maintenance during normal periods of equipment down time, or transport of untreated wastes to another treatment facility.
- c. If the bypass is planned and scheduled to minimize adverse effects on the public and the environment.

After consideration of the above and the adverse effects of the proposed bypass and any other relevant factors, the Department will approve or deny the request. The public shall be notified and given an opportunity to comment on bypass incidents of significant duration, to the extent feasible. Approval of a request to bypass will be by administrative order issued by the Department under RCW 90.48.120.

G. Operations and Maintenance Manual

The approved Operations and Maintenance Manual shall be kept available at the treatment plant and all operators shall follow the instructions and procedures of this manual.

An Operations and Maintenance (O&M) Manual shall be prepared by the Permittee in accordance with WAC 173-240-080 and be submitted to the Department for approval by September 30, 2005. In addition to requirements of WAC 173-240-080 (1) through (5) the O&M Manual shall include:

1. Emergency procedures for plant shutdown.
2. Any directions to operation and maintenance staff when cleaning, or maintaining equipment or performing tasks, which are necessary to protect the operation of the wastewater treatment system.
3. The treatment plant process control monitoring schedule.

## **S6. PRETREATMENT**

### **A. General Prohibitions**

In accordance with 40 CFR 403.5(a), nondomestic discharge containing any pollutant(s) that cause pass-through or interference with the sewage treatment system may not be introduced into the Permittee's sewerage system.

### **B. Specific Prohibitions**

In accordance with 40 CFR 403.5(b), the following nondomestic discharges shall not be discharged into the Permittee's sewage conveyance or treatment system.

1. Pollutants that create a fire or explosion hazard in the sewage conveyance or treatment system (including, but not limited to waste streams with a closed cup flashpoint of less than 140 degrees Fahrenheit or 60 degrees Centigrade using the test methods specified in 40 CFR 261.21).
2. Pollutants that will cause corrosive structural damage to the sewage conveyance or treatment system, but in no case discharges with pH lower than 5.0 standard units, unless the system is specifically designed to accommodate such discharges.
3. Solid or viscous pollutants in amounts that could cause obstruction to the flow in sewers or otherwise interfere with the operation of the sewage treatment system.
4. Any pollutant, including oxygen-demanding pollutants, (BOD, etc.) released in a discharge at a flow rate and/or pollutant concentration which will cause interference with the sewage treatment system.
5. Heat in amounts that will inhibit biological activity in the sewage treatment system resulting in interference, but in no case heat in such quantities such that the temperature at the sewage treatment system exceeds 40° C (104° F) unless the Department, upon request of the Permittee, approves, in writing, alternate temperature limits.
6. Petroleum oil, nonbiodegradable cutting oil, or products of mineral origin in amounts that will cause interference or pass-through.

7. Pollutants which result in the presence of toxic gases, vapors, or fumes within the sewage treatment system in a quantity which may cause acute worker health and safety problems.
8. Any trucked or hauled pollutants, except at discharge points designated by the Permittee.

## **S7. RESIDUAL SOLIDS**

Residual solids include screenings, grit, scum, primary sludge, waste activated sludge, and other solid waste. The Permittee shall store and handle all residual solids in such a manner so as to prevent their entry into state ground or surface waters. The Permittee shall not discharge leachate from residual solids to state surface or ground waters.

## **S8. ENGINEERING REPORT AND PLANS AND SPECIFICATIONS**

### **A. Engineering Report**

No later than July 31, 2005, the Permittee shall submit an engineering report for the outfall relocation. The report shall be prepared in accordance with the applicable sections of WAC 173-240-060, "Engineering Report", and shall be submitted to the Department for review and approval.

The report shall contain any appropriate requirements as described in the "Water Reclamation and Reuse Standards" (Washington State Department of Ecology and Department of Health, 1997). As required by RCW 90.48.112, the document must address the feasibility of using reclaimed water as defined in RCW 90.46.010.

### **B. Plans and Specifications**

No later than March 31, 2006, the Permittee shall submit to the Department for review and approval, plans and specifications for the outfall relocation, in accordance with WAC 173-240.

## **S9. COMPLIANCE SCHEDULE**

No later than September 30, 2006, the Permittee shall relocate the discharge outfall, and cease the effluent discharge into the permitted receiving water specified on the cover page of this permit.

The Department may grant an extension of the September 30, 2006, deadline for the outfall relocation when request for the extension is submitted in writing and a good cause exists for granting the extension. Extensions may be granted for such period of time that the Department of Ecology (Department) determines to be reasonable under the circumstances, and shall not be effective until approved by the Department in writing. The Permittee shall promptly notify the Department of any occurrence which may result in noncompliance with this condition. Such notification shall state the reason(s) for noncompliance, the expected duration of noncompliance, and any mitigating actions taken by the Permittee.

**S10. ADDITIONAL CHEMICAL ANALYSIS OF INFLUENT AND EFFLUENT**

To provide required data for EPA Form 3510-2A, Part B.6 (NPDES application) for the next permit cycle, the following additional tests shall be conducted on the final effluent. Samples shall be collected for analysis at least three times during the term of this permit, and results shall be reported in Part B.6 of the next NPDES permit application.

Total Kjeldahl Nitrogen (TKN)

$\text{NO}_3 - \text{N} + \text{NO}_2 - \text{N}$

Oil and Grease

Total Phosphorus

Total Dissolved Solids (TDS)



## GENERAL CONDITIONS

### G1. SIGNATORY REQUIREMENTS

All applications, reports, or information submitted to the Department shall be signed and certified.

- A. All permit applications shall be signed by either a principal executive officer or a ranking elected official.
- B. All reports required by this permit and other information requested by the Department shall be signed by a person described above or by a duly authorized representative of that person. A person is a duly authorized representative only if:
  - 1. The authorization is made in writing by a person described above and submitted to the Department.
  - 2. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility, such as the position of plant manager, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters. (A duly authorized representative may thus be either a named individual or any individual occupying a named position.)
- C. Changes to authorization. If an authorization under paragraph B.2, above, is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of paragraph B.2, above, must be submitted to the Department prior to or together with any reports, information, or applications to be signed by an authorized representative.
- D. Certification. Any person signing a document under this section shall make the following certification:

*“I certify under penalty of law, that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.”*

## **G2. RIGHT OF INSPECTION AND ENTRY**

The Permittee shall allow an authorized representative of the Department, upon the presentation of credentials and such other documents as may be required by law:

- A. To enter upon the premises where a discharge is located or where any records must be kept under the terms and conditions of this permit.
- B. To have access to and copy - at reasonable times and at reasonable cost - any records required to be kept under the terms and conditions of this permit.
- C. To inspect - at reasonable times - any facilities, equipment (including monitoring and control equipment), practices, methods, or operations regulated or required under this permit.
- D. To sample or monitor - at reasonable times - any substances or parameters at any location for purposes of assuring permit compliance or as otherwise authorized by the Clean Water Act.

## **G3. PERMIT ACTIONS**

This permit may be modified, revoked and reissued, or terminated either at the request of any interested person (including the Permittee) or upon the Department's initiative. However, the permit may only be modified, revoked and reissued, or terminated for the reasons specified in 40 CFR 122.62, 122.64 or WAC 173-220-150 according to the procedures of 40 CFR 124.5.

- A. The following are causes for terminating this permit during its term, or for denying a permit renewal application:
  - 1. Violation of any permit term or condition.
  - 2. Obtaining a permit by misrepresentation or failure to disclose all relevant facts.
  - 3. A material change in quantity or type of waste disposal.
  - 4. A determination that the permitted activity endangers human health or the environment, or contributes to water quality standards violations and can only be regulated to acceptable levels by permit modification or termination [40 CFR part 122.64(3)].
  - 5. A change in any condition that requires either a temporary or permanent reduction, or elimination of any discharge or sludge use or disposal practice controlled by the permit [40 CFR part 122.64(4)].
  - 6. Nonpayment of fees assessed pursuant to RCW 90.48.465.
  - 7. Failure or refusal of the Permittee to allow entry as required in RCW 90.48.090.

B. The following are causes for modification but not revocation and reissuance except when the Permittee requests or agrees:

1. A material change in the condition of the waters of the state.
2. New information not available at the time of permit issuance that would have justified the application of different permit conditions.
3. Material and substantial alterations or additions to the permitted facility or activities which occurred after this permit issuance.
4. Promulgation of new or amended standards or regulations having a direct bearing upon permit conditions, or requiring permit revision.
5. The Permittee has requested a modification based on other rationale meeting the criteria of 40 CFR Part 122.62.
6. The Department has determined that good cause exists for modification of a compliance schedule, and the modification will not violate statutory deadlines.
7. Incorporation of an approved local pretreatment program into a municipality's permit.

C. The following are causes for modification or alternatively revocation and reissuance:

1. Cause exists for termination for reasons listed in A1 through A7 of this section, and the Department determines that modification or revocation and reissuance is appropriate.
2. The Department has received notification of a proposed transfer of the permit. A permit may also be modified to reflect a transfer after the effective date of an automatic transfer (General Condition G8) but will not be revoked and reissued after the effective date of the transfer except upon the request of the new Permittee.

#### **G4. REPORTING PLANNED CHANGES**

The Permittee shall, as soon as possible, but no later than sixty (60) days prior to the proposed changes, give notice to the Department of planned physical alterations or additions to the permitted facility, production increases, or process modification which will result in:

- 1) the permitted facility being determined to be a new source pursuant to 40 CFR 122.29(b);
- 2) a significant change in the nature or an increase in quantity of pollutants discharged; or
- 3) a significant change in the Permittee's sludge use or disposal practices.

Following such notice, and the submittal of a new application or supplement to the existing application, along with required engineering plans and reports, this permit may be modified, or revoked and reissued pursuant to 40 CFR 122.62(a) to specify and limit any pollutants not previously limited. Until such modification is effective, any new or increased discharge in excess of permit limits or not specifically authorized by this permit constitutes a violation of the terms and conditions of this permit.

## **G5. PLAN REVIEW REQUIRED**

Prior to constructing or modifying any wastewater control facilities, an engineering report and detailed plans and specifications shall be submitted to the Department for approval in accordance with Chapter 173-240 WAC. Engineering reports, plans, and specifications shall be submitted at least one hundred and eighty (180) days prior to the planned start of construction unless a shorter time is approved by Ecology. Facilities shall be constructed and operated in accordance with the approved plans.

## **G6. COMPLIANCE WITH OTHER LAWS AND STATUTES**

Nothing in this permit shall be construed as excusing the Permittee from compliance with any applicable federal, state, or local statutes, ordinances, or regulations.

## **G7. DUTY TO REAPPLY**

The Permittee shall apply for permit renewal at least one hundred and eighty (180) days prior to the specified expiration date of this permit.

## **G8. TRANSFER OF THIS PERMIT**

In the event of any change in control or ownership of facilities from which the authorized discharge emanate, the Permittee shall notify the succeeding owner or controller of the existence of this permit by letter, a copy of which shall be forwarded to the Department.

### **A. Transfers by Modification**

Except as provided in paragraph (B) below, this permit may be transferred by the Permittee to a new owner or operator only if this permit has been modified or revoked and reissued under 40 CFR 122.62(b)(2), or a minor modification made under 40 CFR 122.63(d), to identify the new Permittee and incorporate such other requirements as may be necessary under the Clean Water Act.

### **B. Automatic Transfers**

This permit may be automatically transferred to a new Permittee if:

1. The Permittee notifies the Department at least thirty (30) days in advance of the proposed transfer date.
2. The notice includes a written agreement between the existing and new Permittees containing a specific date transfer of permit responsibility, coverage, and liability between them.
3. The Department does not notify the existing Permittee and the proposed new Permittee of its intent to modify or revoke and reissue this permit. A modification under this subparagraph may also be minor modification under 40 CFR 122.63. If this notice is not received, the transfer is effective on the date specified in the written agreement.

#### **G9. REDUCED PRODUCTION FOR COMPLIANCE**

The Permittee, in order to maintain compliance with its permit, shall control production and/or all discharges upon reduction, loss, failure, or bypass of the treatment facility until the facility is restored or an alternative method of treatment is provided. This requirement applies in the situation where, among other things, the primary source of power of the treatment facility is reduced, lost, or fails.

#### **G10. REMOVED SUBSTANCES**

Collected screenings, grit, solids, sludges, filter backwash, or other pollutants removed in the course of treatment or control of wastewaters shall not be resuspended or reintroduced to the final effluent stream for discharge to state waters.

#### **G11. DUTY TO PROVIDE INFORMATION**

The Permittee shall submit to the Department, within a reasonable time, all information which the Department may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit or to determine compliance with this permit. The Permittee shall also submit to the Department upon request, copies of records required to be kept by this permit.

#### **G12. OTHER REQUIREMENTS OF 40 CFR**

All other requirements of 40 CFR 122.41 and 122.42 are incorporated in this permit by reference.

#### **G13. ADDITIONAL MONITORING**

The Department may establish specific monitoring requirements in addition to those contained in this permit by administrative order or permit modification.

#### **G14. PAYMENT OF FEES**

The Permittee shall submit payment of fees associated with this permit as assessed by the Department.

#### **G15. PENALTIES FOR VIOLATING PERMIT CONDITIONS**

Any person who is found guilty of willfully violating the terms and conditions of this permit shall be deemed guilty of a crime, and upon conviction thereof shall be punished by a fine of up to ten thousand dollars (\$10,000) and costs of prosecution, or by imprisonment in the discretion of the court. Each day upon which a willful violation occurs may be deemed a separate and additional violation.

Any person who violates the terms and conditions of a waste discharge permit shall incur, in addition to any other penalty as provided by law, a civil penalty in the amount of up to ten thousand dollars (\$10,000) for every such violation. Each and every such violation shall be a separate and distinct offense, and in case of a continuing violation, every day's continuance shall be deemed to be a separate and distinct violation.

#### **G16. UPSET**

Definition – “Upset” means an exceptional incident in which there is unintentional and temporary noncompliance with technology-based permit effluent limitations because of factors beyond the reasonable control of the Permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

An upset constitutes an affirmative defense to an action brought for noncompliance with such technology-based permit effluent limitations if the requirements of the following paragraph are met.

A Permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:

- 1) an upset occurred and that the Permittee can identify the cause(s) of the upset;
- 2) the permitted facility was being properly operated at the time of the upset;
- 3) the Permittee submitted notice of the upset as required in Condition S3.E; and
- 4) the Permittee complied with any remedial measures required under S4.C of this permit.

In any enforcement proceeding, the Permittee seeking to establish the occurrence of an upset has the burden of proof.

#### **G17. PROPERTY RIGHTS**

This permit does not convey any property rights of any sort, or any exclusive privilege.

#### **G18. DUTY TO COMPLY**

The Permittee shall comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Clean Water Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or denial of a permit renewal application.

#### **G19. TOXIC POLLUTANTS**

The Permittee shall comply with effluent standards or prohibitions established under Section 307(a) of the Clean Water Act for toxic pollutants within the time provided in the regulations that establish those standards or prohibitions, even if this permit has not yet been modified to incorporate the requirement.

## **G20. PENALTIES FOR TAMPERING**

The Clean Water Act provides that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit shall, upon conviction, be punished by a fine of not more than \$10,000 per violation, or by imprisonment for not more than two (2) years per violation, or by both. If a conviction of a person is for a violation committed after a first conviction of such person under this Condition, punishment shall be a fine of not more than \$20,000 per day of violation, or by imprisonment of not more than four (4) years, or by both.

## **G21. REPORTING ANTICIPATED NONCOMPLIANCE**

The Permittee shall give advance notice to the Department by submission of a new application or supplement thereto at least one hundred and eighty (180) days prior to commencement of such discharges, of any facility expansions, production increases, or other planned changes, such as process modifications, in the permitted facility or activity which may result in noncompliance with permit limits or conditions. Any maintenance of facilities, which might necessitate unavoidable interruption of operation and degradation of effluent quality, shall be scheduled during noncritical water quality periods and carried out in a manner approved by the Department.

## **G22. REPORTING OTHER INFORMATION**

Where the Permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application, or in any report to the Department, it shall promptly submit such facts or information.

## **G23. COMPLIANCE SCHEDULES**

Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this permit shall be submitted no later than fourteen (14) days following each schedule date.